

Regular Meeting of City Council held on Monday, February 25, 2013 in Council Chambers, City Hall.

PRESENT: Mayor Higgins
Coun. Luhning
Coun. Swanson
Coun. Mitchell
Coun. Eby
Coun. Boyle
Coun. Kirkpatrick

CALL TO ORDER

Mayor Higgins called the meeting to order at 6:30 p.m.

PUBLIC ACKNOWLEDGEMENTS

Nil.

ADOPTION OF MINUTES OF THE LAST REGULAR MEETING

**Re: Adoption of Minutes of February 11, 2013
Regular Meeting of City Council**

81 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT the minutes of the regular meeting of City Council held on Monday, February 11, 2013, be approved and adopted.

Carried.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

82 Moved by Coun. Eby, seconded by Coun. Swanson
THAT we now go into the Committee of the Whole to deal with original communications, delegations and petitions.

Carried.

83 Moved by Coun. Mitchell
THAT report dated February 22, 2013 from the Secretary, Development Appeals Board, re: Decisions of the Development Appeals Board, be added to the agenda as Communication #23; and

THAT report dated February 25, 2013 from the Secretary, Development Appeals Board, re: Notice of Development Appeals Board Meeting, be added to the agenda as Communication #24.

Carried.

Deputy Mayor Luhning reported that Committee of the Whole considered the following communications, delegations and petitions:

Communication #17 – Capital Budget 2013 – 2017

Considered was a report (Communication #17) dated February 4, 2013 from the City Manager to present City Council with the City of Moose Jaw's 2013 – 2017 Capital Budget.

- 84 Moved by Coun. Eby
THAT the 2013 – 2017 Capital Budget be referred to Budget Committee for detailed consideration.
- Carried.

Communication #18 – 10 Year Unfunded Capital Budget

Considered was a report (Communication #18) dated January 28, 2013 from the City Manager to communicate to City Council the 10 Year Unfunded Capital Budget and illustrate the current infrastructure deficit.

- 85 Moved by Coun. Eby
THAT City Council forward the 10 Year Unfunded Capital Budget to Budget Committee for further deliberation.
- Carried.

Communication #19 – Habitat for Humanity

Considered was a report (Communication #19) dated February 4, 2013 from the Business Development Division to transmit to City Council a request from Habitat for Humanity for the property located at 907 Ominica Street East as well as the waiver of building permit fees, an exemption of taxes and the provision of sewer and water services.

- 86 Moved by Coun. Eby
THAT representatives of Habitat for Humanity be allowed to address City Council.
- Carried.

Mr. Brian Martynook, Chair of Habitat for Humanity Moose Jaw, addressed members of City Council.

- 87 Moved by Coun. Swanson
THAT the City of Moose Jaw supply Habitat for Humanity with the residential lot located at 907 Ominica Street East (\$15,000) together with the waiver of Building Permit fees (\$1,500) and a tax exemption on the property until such time as the dwelling is occupied (\$360.00).
- Carried.

Communication #20 – City Department Quarterly Reports

Considered was a report (Communication #20) dated February 20, 2013 from the City Manager to provide City Council with information respecting activities of the various City Departments for the Period October 1 to December 31, 2012.

Moved by Coun. Swanson

88 THAT the City Department Quarterly Reports for the period October 1 to December 31, 2012 be received and filed.

Carried.

Communication #21 – 2013 Police Service Operating Budget

Considered was a report (Communication #21) dated February 21, 2013 from the City Clerk/Solicitor’s Department to bring forward a motion from Budget Committee to City Council for consideration.

Moved by Coun. Swanson

THAT the 2013 Police Service Operating Budget submission be referred back to the Board of Police Commissioners with respect to concerns over budget for staffing levels.

Councillor Eby requested a recorded vote on the amendment.

Present: Mayor Higgins, Coun. Eby, Coun. Luhning, Coun. Mitchell, Coun. Swanson, Coun. Kirkpatrick, Coun. Boyle

FOR

AGAINST

Coun. Luhning
Coun. Mitchell
Coun. Swanson

Mayor Higgins
Coun. Kirkpatrick
Coun. Boyle
Coun. Eby

Defeated.

Communication #22 – Portion of Parcel H, Ross Park, Plan 99MJ03789

Considered was a report (Communication #22) dated February 20, 2013 from the Business Development Division to obtain approval from City Council to establish a value for a parcel of R3 High Density Residential land and subsequent approval to market same for sale.

Moved by Coun. Mitchell

89 THAT report (Communication #22) dated February 20, 2013 from the Business Development Division, be received and filed.

Carried.

Communication #23 – Decisions of the Development Appeals Board

Considered was a report (Communication #23) dated February 22, 2013 from the Secretary, Development Appeals Board to submit to members of City Council, for their information, the Decisions of the Development Appeals Board respecting applications for variances under the City of Moose Jaw’s Zoning Bylaw, being Bylaw No. 5346, that were discussed and decided upon at the meeting of the Development Appeals Board held on February 19, 2013.

Moved by Coun. Eby

90 THAT the following Decisions of the Development Appeals Board be received and filed:

{3 – 2013} Glen Christianson
1004 Athabasca Street East

{4 – 2013} Paul and Lorraine Arguin
961 Ominica Street West

Carried.

Communication #24 – Notice of Development Appeals Board Meeting

Considered was a report (Communication #24) dated February 25, 2013 from the Secretary, Development Appeals Board, giving notice that the Development Appeals Board for the City of Moose Jaw will hear the following appeals at a public meeting to be held in the Mayor’s Conference Room, City Hall at 5:00 p.m. on Tuesday, March 19, 2013 in accordance with the requirements of Sections 213 to 227 of *The Planning and Development Act, 2007* and the City of Moose Jaw’s Zoning Bylaw No. 5346.

Moved by Coun. Boyle

91 THAT Communication #24 dated February 25, 2013 from the Secretary, Development Appeals Board, being a Notice of Development Appeals Board meeting, be received and filed.

Carried.

ADOPTION OF THE REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Coun. Eby, seconded by Coun. Kirkpatrick

92 THAT the report of the Committee of the Whole be taken as read, received and adopted.

Carried.

REPORTS OF STANDING COMMITTEES OF CITY COUNCIL

Executive Committee

93 Moved by Coun. Eby, seconded by Coun. Boyle
THAT the report of the Executive Committee dated February 11, 2013 be taken as read.

Carried.

Executive Committee

94 Moved by Coun. Kirkpatrick, seconded by Coun. Luhning
THAT the report of the Executive Committee dated February 19, 2013 be taken as read.

Carried.

The reports of the Executive Committee dated February 11, 2013 and February 19, 2013 follow:

MATTERS ARISING FROM REPORTS OF STANDING COMMITTEES

Report of the Executive Committee

107 Moved by Coun. Boyle, seconded by Coun. Eby
THAT the report of the Executive Committee dated February 11, 2013 be received and adopted.
Carried.

Report of the Executive Committee

108 Moved by Coun. Luhning, seconded by Coun. Kirkpatrick
THAT the report of the Executive Committee dated February 19, 2013 be received and adopted.
Carried.

REPORTS OF ADVISORY AND OTHER COMMITTEES

Environment Advisory Committee

Councillor Mitchell reported on the minutes of the Environment Advisory Committee meeting held on February 12, 2013.

109 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Environment Advisory Committee meeting held on February 12, 2013 be received as presented.
Carried.

Housing Advisory Committee

Councillor Mitchell reported on the minutes of the Housing Advisory Committee meeting held on February 13, 2013.

110 Moved by Coun. Mitchell, seconded by Coun. Swanson
THAT the report of the Housing Advisory Committee meeting held on February 13, 2013 be received as presented.
Carried.

Transportation Services Advisory Committee

Councillor Kirkpatrick reported on the minutes of the Transportation Services Advisory Committee meeting held on February 13, 2013.

Re: Special Needs Parking – 54 Ominica Street West

111 Moved by Coun. Kirkpatrick, seconded by Coun. Eby
THAT approval be granted to replace one metered parking spot with a 2 hour Special Needs Parking spot, as per the drawing attached to the February 13, 2013 minutes of the Transportation Services Advisory Committee, in the parking lot located east of 54 Ominica Street West; and

THAT all costs for the signage be borne by the City of Moose Jaw; and further

THAT the City Clerk/Solicitor be authorized to prepare the necessary amendment to Bylaw No. 4230, the Traffic Bylaw.

Carried.

Re: Letter dated December 10, 2012 from Rosalie Crooks, Canada Post Corporation, re: Installation of “No Stopping” sign beside Panda Firestone Store on Ross Street West

Moved by Coun. Kirkpatrick, seconded by Coun. Eby

112 THAT approval be granted to placing a permanent “No Stopping” zone, from the south alley on Ross Street West between the Panda Firestone Store and the Post Office to a point 9.5 meters east of the alley as per the drawing attached to the February 13, 2013 minutes of the Transportation Services Advisory Committee; and

THAT all costs for the signage be borne by the City of Moose Jaw; and further

THAT the City Clerk/Solicitor be authorized to prepare the necessary amendment to Bylaw No. 4230, the Traffic Bylaw.

Carried.

Disposition of Report

Moved by Coun. Kirkpatrick, seconded by Coun. Mitchell

113 THAT the report of the Transportation Services Advisory Committee meeting held on February 13, 2013 be received as presented.

Carried.

Heritage Advisory Committee

Councillor Swanson reported on the minutes of the Heritage Advisory Committee meeting held on February 13, 2013.

Moved by Coun. Swanson, seconded by Coun. Eby

114 THAT the report of the Heritage Advisory Committee meeting held on February 13, 2013 be received as presented.

Carried.

Special Needs Advisory Committee

Councillor Swanson reported on the minutes of the Special Needs Advisory Committee meeting held on February 13, 2013.

Moved by Coun. Swanson, seconded by Coun. Luhnig

115 THAT the report of the Special Needs Advisory Committee meeting held on February 13, 2013 be received as presented.

Carried.

Parks and Recreation Advisory Committee

Councillor Eby reported on the minutes of the Parks and Recreation Advisory Committee meeting held on February 13, 2013.

Re: Part 4 – 2013/2014 Saskatchewan Lotteries Community Grant Program & Special Events Hosting Grant Program

116 Moved by Coun. Eby, seconded by Coun. Luhning
 THAT the 2013/2014 Saskatchewan Lotteries Community Grant Program – Special Events Hosting Grant be allocated as follows:

SPECIAL EVENTS HOSTING GRANT:

MJ Band & Choral Festival	\$1,800
MJ Kinsmen Flying Fins – Summerfest Invitational	\$700
Provincial Swim Meet	
MJ Square & Round Dance – Federation Weekend	\$500
Kiwanis Speed Skating Club – Long and Short Track Meet	\$400
MJ Soccer Assoc. – Adult Co-ed Indoor Tournament	\$200
Motif 2013	\$750
MJ Music Festival – Annual Music Festival	\$500
Sask Shuffleboard – 19 th Annual Tournament	\$125
2013 JUNOs – Celebrity Cup Concert & BBQ	\$2,775
1 st Annual Francophone Festival	\$580
Northwest Community Assoc. - Family Bicycle Rodeo/Ride	\$400
Northwest Community Assoc. - Wakamow Recreation Club	\$400
Winter Activity	
MJ Skating Club – Annual Snowflake Funfest	\$70
Cosmo Senior Citizens Centre – Mini Polka Fest	\$300
Canada Day Committee – Canada Day Events	\$500
TOTAL	\$10,000

Carried.

COMMUNITY GRANT PROGRAM:

117 Moved by Coun. Eby, seconded by Coun. Boyle
 THAT the 2013/2014 Saskatchewan Lotteries Community Grant Program – Base I be allocated as follows:

BASE I

Community Assoc. Directorate - Playground Program	\$18,000
Community Assoc. Directorate - Youth Activity Centres	\$6,000
Community Assoc. Directorate - Recreation Guides	\$9,000
Community Assoc. Directorate - Sports Equipment Library	\$1,000
Minor Ice Arena Organizations - Winter Extension Program	\$15,000
MJ South Central Drug Strategy - Free Teen Swim	\$10,000
Healthy Active Living Committee - Free Family Swim &	\$5,000

Free Public Swim	
Wakamow Valley - Kids Day	\$2,500
Wakamow Valley – Horse drawn Wagon/Sleigh Rides	\$700
Festival of Words – Performers Café	\$3,750
TOTAL	\$70,950

THAT the remaining base funds of \$14,884.70 be allocated to Base II-IV.

Carried.

- 118 Moved by Coun. Eby, seconded by Coun. Boyle
 THAT the 2013/2014 Saskatchewan Lotteries Community Grant Program - Base II - IV be allocated as follows:

BASE II - IV

Moose Jaw Youth Flag Football	\$3,823.20
Moose Jaw Aqua Otters – Synchro Swim Club	\$3,823.20
South Hill Community Assoc. - Junior Lifeguard Program	\$2,823.20
SSWA Biathlon Club	\$1,323.20
TOTAL	\$11,792.80

; and

THAT the remaining base funds of \$3,091.90 be allocated to Target (Other).

Carried.

- 119 Moved by Coun. Eby, seconded by Coun. Kirkpatrick
 THAT the 2013/2014 Saskatchewan Lotteries Community Grant Program – Base V be allocated as follows:

BASE V

Moose Jaw Skating Club – Learn to Skate Programs	\$145
Moose Jaw Minor Girls Fastball – Spring Hitting Clinic	\$285
Yara Centre – Toddler Turf Time	\$285
McFergus Scottish Country Dancers – Social Dancing	\$285
TOTAL	\$1,000

Carried.

- 120 Moved by Coun. Eby, seconded by Coun. Mitchell
 THAT the 2013/2014 Saskatchewan Lotteries Community Grant Program – Target be allocated as follows:

CGP TARGET:

MJ & District Senior Assoc. & Cosmo Senior Citizens	\$26,486.20
MJ Special Olympics – Swimming	\$1,675

MJ Museum & Art Gallery – program for disadvantaged	\$3,500
Northwest Community Assoc. – Women & Children Only Swim	\$1,000
South Hill Community Assoc. - Shiny Skating Program	\$1,160
Northwest Community Assoc. - Seniors Caravan	\$3,000
Yara Centre - Seniors Walk the Golden Mile	\$3,000
MJ YMCA - Aboriginal Youth Council Leadership	\$3,000
TOTAL	\$42,821.20

Carried.

Re: Part 5 – 2013 Community Projects – Capital Grant Program

Moved by Coun. Eby, seconded by Coun. Boyle

121 THAT the 2013 Community Projects – Capital Grant Program be allocated as follows:

MJ Minor Girls Fastball – New Gator	\$4,397.25
Crescent Park Foundation – Plantings	\$1,000
Wakamow Valley – Connor Pavilion Roof Repair	\$5,000
Ross Wells Baseball – Replace ballast and field lights	\$6,400
MJ Miller Express – Field Tarp	\$3,200
TOTAL	\$19,997.25

; and

THAT applications for the Community Projects – Capital Grant Program received after the deadline be considered based on the approved policy guidelines. This provision will be administered by the Parks and Recreation Department and will be applied only if the request cannot wait until the next annual review;

; and further

THAT any funding remaining at the end of the 2013 be allocated to the 2014 Community Projects – Capital Grant Program.

Carried.

Disposition of Report

Moved by Coun. Eby, seconded by Coun. Kirkpatrick

122 THAT the report of the Parks and Recreation Advisory Committee meeting held on February 13, 2013 be received as presented.

Carried.

Cultural Diversity Advisory Committee

Councillor Mitchell reported on the minutes of the Cultural Diversity Advisory Committee meeting held on February 20, 2013.

Re: Part 5.1 – Moose Jaw Multicultural Council Representative

123 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Ms. Patricia Davies be appointed to the Cultural Diversity Advisory Committee for a term of office to commence immediately and to conclude August 31, 2013. Carried.

Disposition of Report

124 Moved by Coun. Mitchell, seconded by Coun. Eby
THAT the report of the Cultural Diversity Advisory Committee meeting held on February 20, 2013 be received as presented. Carried.

GIVING NOTICE

Nil.

MOTIONS

Re: Appointment of Deputy Mayor

125 Moved by Coun. Luhning, seconded by Coun. Eby
THAT Councillor Mitchell be appointed Deputy Mayor for the ensuing two (2) months effective March 1, 2013 to April 30, 2013 and/or until a successor is appointed. Carried.

**Re: Appointment of Chairperson
Executive Committee**

126 Moved by Coun. Mitchell, seconded by Coun. Boyle
THAT Councillor Swanson be appointed Chairperson of the Executive Committee for the ensuing two (2) months effective March 1, 2013 to April 30, 2013 and/or until a successor is appointed. Carried.

**Re: Appointment of Chairperson
Personnel Committee**

127 Moved by Coun. Eby, seconded by Coun. Luhning
THAT Councillor Boyle be appointed Chairperson of the Personnel Committee for the ensuing two (2) months effective March 1, 2013 to April 30, 2013 and/or until a successor is appointed. Carried.

BYLAWS

Introduction of Bylaw:

#5437 – Zoning Amendment Bylaw 2013 (No. 2)

128 Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT the Deputy Mayor, Councillor Luhning, be allowed to introduce **Bylaw No. 5437, ZONING AMENDMENT BYLAW 2013 (NO. 2)**.

Carried.

128a Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5437 be now read a first time.

Carried.

128b Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT Bylaw No. 5437 be now read a second time.

Carried.

128c Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Luhning to consider Bylaw No. 5437.

Carried.

128d Moved by Coun. Mitchell
THAT clause by clause consideration of the Bylaw be and is hereby dispensed with and that the said Bylaw be approved in its entirety.

Carried.

Your Committee of the Whole to consider **Bylaw No. 5437, ZONING AMENDMENT BYLAW 2013 (NO. 2)**, begs to report that the Bylaw passed this Committee without amendment.

(Sgd). Coun. Luhning
Chairperson

128e Moved by Coun. Kirkpatrick, seconded by Coun. Boyle
THAT the report of the Committee of the Whole be received and adopted.

Carried.

Moved by Coun. Boyle, seconded by Coun. Kirkpatrick
THAT Bylaw No. 5437 be submitted for Third reading forthwith.

Defeated.

Introduction of Bylaw:

#5439 – Approval for Sale of a Portion of Buffer Strip

- 129 Moved by Coun. Eby, seconded by Coun. Mitchell
THAT the Deputy Mayor, Councillor Luhning, be allowed to introduce **Bylaw No. 5439, APPROVAL FOR SALE OF A PORTION OF BUFFER STRIP.**
Carried.
- 129a Moved by Coun. Mitchell, seconded by Coun. Eby
THAT Bylaw No. 5439 be now read a first time.
Carried.
- 129b Moved by Coun. Eby, seconded by Coun. Mitchell
THAT Bylaw No. 5439 be now read a second time.
Carried.
- 129c Moved by Coun. Mitchell, seconded by Coun. Eby
THAT we now go into Committee of the Whole under the Chairmanship of Deputy Mayor, Coun. Luhning to consider Bylaw No. 5439.
Carried.
- 129d Moved by Coun. Swanson
THAT clause by clause consideration of the Bylaw be and is hereby dispensed with and that the said Bylaw be approved in its entirety.
Carried.
- Your Committee of the Whole to consider **Bylaw No. 5439, APPROVAL FOR SALE OF A PORTION OF BUFFER STRIP**, begs to report that the Bylaw passed this Committee without amendment.
(Sgd). Coun. Luhning
Chairperson
- 129e Moved by Coun. Eby, seconded by Coun. Mitchell
THAT the report of the Committee of the Whole be received and adopted.
Carried.
- 129f Moved by Coun. Mitchell, seconded by Coun. Eby
THAT Bylaw No. 5439 be submitted for Third reading forthwith.
Carried Unanimously.
- 129g Moved by Coun. Eby, seconded by Coun. Mitchell
THAT Bylaw No. 5439 be now read a third time, adopted, signed by the Mayor and City Clerk, dated and sealed.
Carried.

ENQUIRIES

Councillor Swanson submitted the following written enquiries:

9 – 2013: Federal/Provincial/Municipal Infrastructure Program

When were the last three federal/provincial/municipal infrastructure programs? What were the funding formulas for those programs? How much provincial and federal money did the City receive? What projects were funded by these programs?

10 – 2013: Insurance

Does the City of Moose Jaw tender its insurance requirements? If not, why not? If so, when was the last tender for city insurance? Do tenders occur on a regular basis? Is there only one insurance coverage package or is insurance broken into smaller parcels?

Councillor Swanson asked a verbal enquiry regarding the status of the assessment notices, which was answered by City Administration.

Councillor Kirkpatrick asked a verbal enquiry regarding an update on the status of the water situation at the Kinsmen Sportsplex, which was answered by City Administration.

Councillor Kirkpatrick asked a verbal enquiry regarding the traffic situation at the intersection of Thatcher Drive and 9th Avenue N.E., which was answered by City Administration.

Councillor Boyle asked a verbal enquiry to request circulation of the water main break analysis report as referred to by Councillor Swanson previously in the meeting, which City Administration will follow up on.

RESPONSES TO WRITTEN “ANSWERS TO ENQUIRIES”

Nil.

The meeting adjourned at 8:57 p.m.

MAYOR

CITY CLERK